

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

JAMIEE L. DESIMONE,

Case 20-20487-GLT  
Chapter 13

Debtor

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RUSHMORE SERVICING, as Servicer,  
For US Bank NA, not in its individual  
Capacity but solely as Trustee for RMTP Trust  
Series 2021, Cottage-TT-V,

Related Doc: 158  
Hrg: 7/17/2024, 1:30PM

Movant

v.

JAMIEE L. DESIMONE  
Justin F. Desimone (non filing Co-Debtor)  
And Ronda J. Winnecour,  
Chapter 13 Trustee,

Respondents

**RESPONSE TO MOTION FOR RELIEF FROM THE  
AUTOMATIC STAY**

AND NOW comes Jamiee L. Desimome, Chapter 13 Debtor, by and through her counsel, Christian M. Rieger, Esquire, and files the following reply to Movant's request for Adequate Protection and/or relief under Section 362 of the Bankruptcy Code, and responds as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.

7. The figures itemized on Movant's Proof of Claim are admitted. By to supplement the record, Debtor has made significant payments to Movant in this case, and the Trustee's accounting shows \$49,442.04 of Movant's arrears claim has been paid, with only \$1,068. Remaining.

8. Admitted.

9. Denied. Debtor cannot ascertain Movant's calculation based on the information provided. Moreover, Debtor's Amended Plan of June 2021 denotes payments were to be made by the non-filing spouse. Additionally, if the non-filing spouse ceased payments, Debtor was unaware until mid-November 2023. The parties had separated in 2023, and Debtor has since filed an action for child support. Her child support award, accounting for arrears, began in June 2024 at \$904.21 bi-weekly.

10. Denied. Debtor's estimate to the current value of the property is in excess of \$400,000.00. Significant equity in the property exists for purposes of 11 U.S.C. 362(d)(1)-(2)(A), and as such, cause does not exist for the granting of relief at this time.

11. Paragraph 11 represents a conclusion of law for which no response is required.

12. Paragraph 12 represents a conclusion of law for which no response is required.

WHEREFORE, Debtor respectfully requests this Honorable Court deny Movant's request for relief from the Automatic Stay.

Respectfully submitted,

/s/ Christian M. Rieger  
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